

## REMARKS/ARGUMENTS

### **I. Status of Claims**

Prior to this Amendment, claims 1, 2, 3, 4, 6-12 and 14-22 were pending with claims 1 and 17 being independent. By this Amendment, claims 1, 3, 4, 14 and 17-22 have been amended to clarify the subject matter recited therein.

### **II. Rejections under 35 U.S.C §112, first paragraph**

#### Claims 19-22

Claims 19-22 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner alleges that “uplink signaling message for RRC Connection establishment includes a cause corresponding to the received indication”, as recited in claim 19, has no support in Applicants’ disclosure. Applicants respectfully traverse this rejection.

Specifically, with respect to claims 19 and 21, “uplink signaling message for RRC Connection establishment includes a cause corresponding to the received indication”, as recited in claim 19 and similarly recited in claim 21, is supported at least by Applicants’ step 302 of Fig. 3 and page 11, lines 11-23 of the specification.

To be more specific, the paragraph of page 11, lines 11-23 of the specification discloses that when the UE is in IDLE mode, upon receiving a notification message on MCCH (a MBMS control channel) from an RNC in step 301, the UE, in step 302, organizes a message of RRC Connection Request, whose reason for RCC connection establishment is set as one of “For MBMS UE counting”, “For MBMS channel parameters” and “For MBMS PtP mode” (depending upon whether the UE moves to a new cell and/or whether the indication for PtP channel is received before handoff or after handoff). Therefore, the above-quoted subject matter, as recited in claim 19 and similarly recited in claim 21, is supported in Applicants’ disclosure.

Similarly, recitations of claims 20 and 22 are at least supported in Applicants' step 102 of Fig. 1, step 201 of Fig. 2, step 1001 of Fig. 10, steps 404 and 406 of Fig. 4, steps 504 and 508 of Fig. 5, page 6, lines 35-38, page 7, line 25 – page 8, line 1, page 9, lines 13-27, page 12, lines 22-35 and page 13, lines 9-11 and lines 21-23 of the specification.

Accordingly, for at least the foregoing reasons, the Examiner is kindly requested to withdraw this rejection.

### **III. Rejections under 35 U.S.C. §103 (a)**

#### **Claims 1, 6, 17, 19, and 21**

Claims 1, 6, 17, 19 and 21 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen et al. (U.S. Pub. No. 2004/0157640 – hereinafter Pirskanen) in view of Khawand et al. (U.S. Pub. No. 2004/0037304 – hereinafter Khawand), and further in view of Sarkkinen et al. (U.S. Pub. No. 2004/0102212 - hereinafter Sarkkinen). Applicants respectfully traverse this rejection.

Claim 1, as amended, recites a method for initiating uplink signaling by a UE receiving a multimedia multicast/broadcast service (MBMS), the method comprising steps of:

“(a) receiving information including an indication indicating one of UE counting and establishment of a point-to-point channel used by the MBMS over a MBMS control channel;

(b) *in case a UE is in IDLE mode upon receiving the information including the received indication, transmitting, by the UE, an uplink signaling message for an RRC (Radio Resource Control) Connection establishment constructed using the received indication; and*

(c) *receiving, by the UE, a response message in response to the uplink signaling message.*” (emphasis added)

As disclosed in the present application, the method recited in claim 1 is designed to address issues surrounding obtaining MBMS channel configuration parameters. In particular, the claimed method particularly addresses a situation *in which the UE (while in IDLE mode) is upon receiving the information including the received indication,* which refers to *information including an indication indicating one of UE counting and establishment of a point-to-point channel used by the MBMS,* in accordance with antecedent basis established in claim 1. According to the claimed method, the UE performs two steps under such a situation (hereinafter “the claimed situation”), namely, *transmitting an uplink signaling message for an RRC Connection establishment constructed using the received indication* (in case the UE is in IDLE mode), as recited in step (b), and *receiving a response message in response to the uplink signaling message,* as recited in step (c).

Turning to the cited primary reference Pirskanen, as the Examiner acknowledged on pages 3-4 of the Office Action, although Pirskanen discloses a situation of *receiving a MBMS Notification Counting message*, Pirskanen, however, does not disclose or suggest steps (b) and (c) in connection with the situation.

Indeed, when facing a situation of receiving an indication indicating UE counting, Pirskanen’s scheme first performs step 218, namely, sending an MBMS group membership report, and then performs step 220, namely receiving a broadcast MBMB “Counting Stopped” notification, neither of which is of a different nature to either step (b) or step (c) used in the claimed method. Hence, it is clear that Pirskanen uses an *entirely different approach* from that of the claimed method. This observation, however, should come as no surprise. As is disclosed in Pirskanen, Pirskanen’s scheme primarily addresses a security issue arising from an UE in RRC IDLE mode returning a membership report message as an RRC Connection Request message. See paragraph [0109] of Pirskanen. By contrast, as noted above, the claimed method is designed to address issues surrounding obtaining MBMS channel configuration parameters. Therefore, Pirskanen’s scheme and the claimed method respectively

address unrelated issues, and thus use entirely different approaches when facing the same situation of receiving an indication indicating UE counting.

On the other hand, the Examiner alleges that Khawand cures the acknowledged Pirskanen's deficiency in connection with step (b), and that Sarkkinen cures the acknowledged Pirskanen's deficiency in connection with step (c). Applicants respectfully disagree with the Examiner's assessment.

Applicants respectfully submit that Khawand, in fact, does not disclose, upon receiving information, *transmitting an uplink signaling message for an RRC Connection establishment constructed using the received indication*, as recited in step (b). This is at least because the Examiner errs in assuming, but without providing any factual basis, that the RADIO BEARER SET UP COMPLETE message of the cited step 424 of Khawand, which is merely a response message reporting the completion of a radio bearer set up, is a message, or an equivalent of a message, requesting for *an RRC Connection establishment*, as is the case for the uplink signaling message recited in step (b).

Even if Khawand discloses transmitting, upon receiving information (such as receiving an RB set up message at step 422 of Khawand), an uplink signaling message for an RRC Connection establishment constructed using the received indication, as the Examiner has alleged, Khawand still does not cure the deficiency of Pirskanen in connection with step (b). This is because, as noted above, step (b) particularly concerns the situation *in which the UE is upon receiving the information including an indication indicating one of UE counting and establishment of a point-to-point channel used by the MBMS*, rather than concerns any arbitrary situation, such as a situation in which an UE is upon receiving an RB set up message, as is the case for Khawand.

In other words, as amply demonstrated in Applicants' disclosure, it is step (b), which is performed particularly with respect to the claimed situation, that allows the

claimed method to address issues surrounding obtaining MBMS channel configuration parameters. Hence, Applicants do not argue that transmitting an uplink signaling message for an RRC Connection establishment upon receiving some information, in itself, is nowhere disclosed or suggested. Rather, Applicants point out that, with respect to *the claimed situation* (namely, the situation in which the UE is upon receiving the information including an indication indicating one of UE counting and establishment of a point-to-point channel used by the MBMS), *transmitting, by the UE, an uplink signaling message for an RRC (Radio Resource Control) Connection establishment constructed using the received indication* (in case the UE is in IDLE mode), as recited in step (b), is nowhere disclosed in any cited reference.

Accordingly, contrary to the Examiner's assessment, Khawand does not cure the acknowledged deficiency of Pirskanen in connection with step (b).

Similarly, Sarkkinen also does not cure the acknowledged Pirskanen's deficiency in connection with step (c). More specifically, step (c) recites receiving, by the UE, a response message in response to *the uplink signaling message, which refers to the uplink signaling message for an RRC Connection establishment constructed using the received indication indicating one of UE counting and establishment of a point-to-point channel used by the MBMS*, in accordance with antecedent basis established in claim 1.

By contrast, the cited paragraph [0064] and Fig. 3 of Sarkkinen, at best, disclose receiving, by the UE, a response message in response to an uplink RRC Connection Request message triggered by *an RNC's notification indicating an MBMB service provision*, a notification which is unrelated to a received indication indicating one of UE counting and establishment of a point-to-point channel used by the MBMS, as recited in claim 1.

Accordingly, similar to Khawand, Sarkkinen is also unrelated to the above-noted claimed situation, and thus does not cure the deficiency of Pirskanen in connection with step (c).

In summary, because neither of Khawand and Sarkkinen has any relevance to the claimed situation, namely, the situation *in which the UE is upon receiving the information including an indication, indicating one of UE counting and establishment of a point-to-point channel used by the MBMS*, Khawand and Sarkkinen do not cure any of the acknowledged deficiencies of Pirskanene. Accordingly, Pirskanen, Khawand and Sarkkinen, taken singly or in combination, do not disclose or teach, and are incapable of suggesting, the subject matter recited in claim 1. Thus, claim 1 should be allowable over Pirskanen, Khawand and Sarkkinen. The rejection of claim 1 should therefore be withdrawn.

Claim 17 contains subject matter related to that of claim 1. Accordingly, for at least the same reasons stated above in connection with claim 1, the rejection of claim 17 should be withdrawn.

The rejection of claims 6, 19 and 21 should be withdrawn at least by virtue of their dependency from claims 1 and 17, respectively.

Claims 3, 4, 7-12, 14, 15, 16, 18, 20 and 22

Claims 3-4, 9, 20, and 22 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen in view of Khawand and Sarkkinen, and further in view of Ho (U.S. Pub. No. 2003/0236085 – hereinafter Ho). Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen in view of Khawand, Sarkkinen and Ho, and further in view of Park et al. (U.S. Patent No. 6,782,274 – hereinafter Park). Claims 10 and 12 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen in view of Khawand, and

further in view of Marjelund et al. (U.S. Patent No. 7,433,334 – hereinafter Marjelund). Claim 11 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen in view of Khawand, and further in view of Koulakiotis et al. (U.S. Patent No. 7,031,694 – hereinafter Koulakiotis) and yet further in view of Marjelund. Claims 14 and 15 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen in view of Khawand and Sarkkinen, and further in view of Koulakiotis, and yet further in view of Marjelund and Van Lieshout et al. (U.S. Patent No. 6,850,759 – hereinafter Van Lieshout). Claim 16 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pirskanen in view of Khawand and Sarkkinen, and further in view of Terry (U.S. Pub. No. 2004/0266447 – hereinafter Terry) and further in view of Van Lieshout.

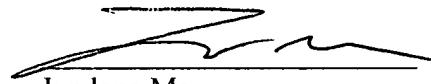
The rejection of claims 3, 4, 7-12, 14, 15, 16, 18, 20 and 22 should be withdrawn at least by virtue of their dependency from claims 1 and 17, respectively and the fact that the cited secondary references, namely Marjelund, Koulakiotis, Terry, and Van Lieshout, do not cure the above-noted deficiencies of Pirskanen, Khawand and Sarkkinen.

**IV. Conclusion**

In view of the above, it is believed that this application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Should any/additional fees be required, the Director is hereby authorized to charge the fees to Deposit Account No. 18-2220.

Respectfully submitted,



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